

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RONALD LEE PAULSON,

Plaintiff,

v.

IONE GEORGE,

Defendant.

CASE NO. 3:19-cv-05491-BHS-JRC

ORDER DENYING EXTENSION  
MOTION

This matter is before the Court on plaintiff's request for an extension of time in which to file the Answer to defendant's counterclaim. *See* Dkt. 82.

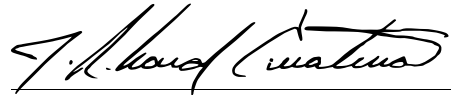
Defendant alleges a counterclaim of malicious prosecution. Dkt. 79, at 5. On the same day that he requested additional time to answer the counterclaim, plaintiff timely filed his answer. *See* Dkt. 83. Therefore, the motion for an extension of time is moot.

Plaintiff apparently is intending to supplement his answer to the counterclaims at some point in the future. *See* Dkt. 83, at 2. Plaintiff should be aware that in general, an amended "pleading"—such as an answer to a counterclaim (Fed. R. Civ. P. 7(a)(3))—entirely replaces a

1 prior pleading and does not supplement the prior pleading. *See Ferdik v. Bonzelet*, 963 F.2d  
2 1258, 1262 (9th Cir. 1992). Moreover, a pleading cannot be amended as a matter of course—  
3 that is, without the Court’s permission—if the amended pleading is filed more than 21 days after  
4 service of the original pleading. *See* Fed. R. Civ. P. 15(a)(1)(A).

5 Plaintiff’s motion for an extension of time to file the Answer to defendant’s counterclaim  
6 is denied as moot. *See* Dkt. 82.

7 Dated this 13th day of August, 2020.

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11 J. Richard Creatura  
12 United States Magistrate Judge  
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